

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION

ANTHONY HAMMOND MURPHY,)	
)	
Plaintiff)	1:23-CV-00079-RAL
)	
vs.)	RICHARD A. LANZILLO
)	Chief United States Magistrate Judge
SPONGELLE LLC,)	
)	MEMORANDUM ORDER ON MOTION
Defendant)	FOR RECONSIDERATION
)	
)	ECF NO. 27

Plaintiff Anthony Hammond Murphy (“Murphy”) has moved for reconsideration of this Court’s order granting Defendant Spongelle LLC’s (“Spongelle”) motion to dismiss. *See* ECF No. 23; *see also* *Murphy v. Spongelle, LLC.*, 2024 WL 532173 (W.D. Pa. Feb. 9, 2024). For the reasons discussed below, the motion for reconsideration is denied as moot.

On February 21, 2024, Murphy’s motion for reconsideration was filed timely and contemporaneously with an Amended Complaint, as was permitted by prior order of Court. *See* ECF Nos. 27 (motion), 29 (first amended complaint). It is well-settled in the Third Circuit that an amended complaint supersedes the original and renders the original pleading “of no legal effect.” *Lawrence v. Foura*, 2023 WL 5751410, at *1 (M.D. Pa. Sep. 6, 2023) (citing *W. Run Student Hous. Assocs. V. Huntington Nat’l Bank*, 712 F.3d 165, 171 (3d Cir. 2013)). Thus, because Murphy’s Amended Complaint supplanted his original complaint, his motion for reconsideration of this Court’s order and opinion related to that original complaint is moot. *See, e.g., Krazil v. Betze*, 2023 WL 6635319, at *20 (D.N.J. Oct. 12, 2023) (“Plaintiffs’ motion for reconsideration is non-justiciable because by filing a second amended complaint, plaintiffs

have supplanted the complaint, thereby rendering any motion for reconsideration advisory.”); *Tshudy v. Pennsylvania State University*, 2023 WL 2564250, at *1 n.13 (M.D. Pa. Mar. 16, 2023) (citing *Frame-Wilson v. Amazon.com Inc.*, 2022 WL 4240826 at *1 (W.D. Wash. Aug. 2, 2022) (“Because Amazon’s motion for reconsideration targets the Court’s Order concerning Plaintiff’s First Amended Complaint (and because Plaintiffs have subsequently filed a Second Amended Complaint ... Amazon’s request for reconsideration must be deemed moot.”); *Young v. Becerra*, No. 2021 WL 4228354 at *1-2 (C.D. Cal. June 9, 2021) (“The filing of plaintiff’s first amended complaint renders moot reconsideration of the order dismissing her original complaint.”); *Sanders v. Matthew*, No. 1:15-cv-395, 2016 WL 11486352 at *2 (E.D. Cal. Mar. 9, 2016) (“[A]s a result [of the filing of an amended complaint], any pleading directed at Plaintiff’s original complaint—including Plaintiff’s motion for reconsideration—is moot.”); *Gilarno v. Borough of Freedom*, 2010 WL 3522112, at *3 (W.D. Pa. Sep. 8, 2010) (deeming a motion filed contemporaneously with an amended complaint moot because the amended complaint superseded the original).

Murphy’s motion for reconsideration (ECF No. 27) is denied as moot.

DATED this 23rd day of February, 2024.

BY THE COURT:


 RICHARD A. LANZILLO
 CHIEF UNITED STATES MAGISTRATE JUDGE